

LINK:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No.	CV 14-00866 BRO (FFMx)	Date	April 21, 2015
Title	RICHARD GREENBERG V. CONNIE GUZMAN		

Present: The Honorable	BEVERLY REID O'CONNELL, United States District Judge
------------------------	---

Renee A. Fisher	Not Present	N/A
Deputy Clerk	Court Reporter	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
Not Present	Not Present	

Proceedings: (IN CHAMBERS)

**ORDER DISMISSING CASE FOR FAILURE
TO PROSECUTE**

The Court held a pretrial conference on this matter on April 6, 2015. (Dkt. No. 49.) The week before the pretrial conference, the Court issued an order to show cause as to why this case should not be dismissed for failure to prosecute based upon the parties' failure to file any pretrial documents, which were due by March 23, 2015. (*See* Dkt. No. 46.) Plaintiff Richard Greenberg ("Plaintiff") responded to the order¹, (*see* Dkt. Nos. 46, 47), but has not filed any pretrial documents and did not appear at the pretrial conference.

After the April 6, 2015 pretrial conference, the Court issued a second order to show cause as to why this case should not be dismissed for Plaintiff's failure to prosecute. (Dkt. No. 49.) The Court ordered Plaintiff to file a response, in writing, by no later than April 15, 2015, at 1:30 p.m. (*Id.*) As of this date, however, Plaintiff has not responded to the second order, and no pretrial documents have been lodged. The order specifically warned Plaintiff that failure to comply "will result in the dismissal of this action pursuant to Local Rule 41-1 for failure to prosecute." (*Id.*)

Pursuant to Federal Rule of Civil Procedure 41(b), the Court may dismiss an action for failure to prosecute where the plaintiff "fails to prosecute or to comply with these rules or a court order." Fed. R. Civ. P. 41(b); *accord Link v. Wabash R. Co.*, 370 U.S. 626, 629–30 (1962). And under the Central District's Local Rule 41-1, "[c]ivil suits

¹ Plaintiff requested a continuance, which this Court did not grant.

LINK:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No.	CV 14-00866 BRO (FFMx)	Date	April 21, 2015
Title	RICHARD GREENBERG V. CONNIE GUZMAN		

which have been pending for an unreasonable period of time without any action having been taken therein may, after notice, be dismissed for want of prosecution.” C.D. Cal. L.R. 41-1. Given Plaintiff’s failure to file any pretrial documents, to appear at the pretrial conference, and to respond to the Court’s April 6, 2015 order to show cause, the Court hereby **DISMISSES this case without prejudice.**

IT IS SO ORDERED.

Initials of
Preparer

:

rf
